



HERBERT
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Date
October 05 2020
Letter to
Hon. Jesse M. Furman

Hon. Jesse M. Furman
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
Courtroom 1105
40 Foley Square
New York, NY 10007

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Our ref

Your ref

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VIA ECF

Re: *Seapoint Shipping Ltd. v. OceanConnect Marine Inc. et al.*
Case No. 1:20-CV-06908

Dear Judge Furman,

This firm represents OceanConnect Marine, Inc. ("**OceanConnect**"). On October 2, 2020, OceanConnect filed a motion to dismiss Count I of the Verified Complaint filed by Seapoint Shipping Ltd. (ECF No. 17, the "**Motion**"). In support of the Motion, we submitted a declaration attaching two documents (the "**Behmke Declaration**", ECF No. 18). One of the exhibits (ECF No. 18-1) contains commercially sensitive information not relevant to the Motion, and was inadvertently filed without redaction. We promptly contacted the ECF Help Desk and filed a corrected version of the Behmke Declaration at ECF No. 20. However, we understand that documents can only be struck from the docket by order of the Court.

Accordingly, we respectfully request an order directing the Clerk of Court to strike the original Behmke Declaration (ECF No. 18 and exhibits) from the docket. Please note that counsel for all parties have agreed to treat these documents as "attorneys' eyes only" until such time as the Court can address this request.

Respectfully Submitted,

/s/ *Peter J. Behmke*

Peter J. Behmke

cc: All Counsel of Record (via ECF)

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